



State of Connecticut  
Governor Ned Lamont

### **DISCRIMINATION COMPLAINT PROCEDURE**

As required by section 46a-68-46 of the Regulations of Connecticut State Agencies, this procedure addresses complaints alleging discrimination or retaliation based upon any legally protected class, including race, color, religious creed, age, sex, national origin, marital status, gender identity or expression, sexual orientation, learning disability, physical disability or blindness, present or past history or mental disability, intellectual disability, genetic information, and criminal record history. Additionally, any member of the public alleging discrimination related to a qualifying disability by the Office of the Governor in the provision of services, activities, programs or benefits may use the Discrimination Complaint Procedure.

The Governor's Discrimination Complaint Procedure will be distributed annually to all employees and will be posted on the agency's website. All employees shall also be notified of the right to file with state enforcement agency Connecticut Commission on Human Rights and Opportunities (CCHRO) and that the CCHRO requires such complaints to be filed with within 180 days of the alleged discriminatory treatment. Upon appointment each new employee shall receive and acknowledge a copy of the Governor's Discrimination Complaint Procedure.

**Note:** Any person may request a copy of this procedure in an alternative format by contacting the Equal Employment Officer (EEO), Attorney Walter Menjivar, via phone at (860) 524-7316 or email at [Walter.Menjivar@ct.gov](mailto:Walter.Menjivar@ct.gov).

All employees are expected to cooperate fully with all administrative complaint investigations and any actions taken by the Governor's Office as a result of such investigations.

### **Counseling**

The Governor's Office is committed to providing a work environment in which all people are treated with respect and dignity. Accordingly, our EEO, Attorney Walter Menjivar, and staff are available to meet with employees who wish to raise a particular issue or who have questions or concerns about the Governor's anti-discrimination policies. Individuals requesting such a meeting may choose to meet in a private area. Issues discussed during such counseling sessions will be kept as confidential as possible, consistent with the professional obligations of legal counsel to the Governor's Office. Accordingly, before an

EEO counseling session begins, Attorney Menjivar and legal staff will advise all individuals that no attorney-client relationship will be created between them.

During such counseling sessions, the participants will be informed of state and federal anti-discrimination laws and the participant's right to file directly with the CCHRO or other appropriate enforcement agencies. The purpose of this advice is to assist participants in keeping open their options for filing with these other agencies. Participants will be provided with applicable policies and will be given a copy of the Governor's Discrimination Complaint Procedure.

### **Contact Information**

Attorney Walter Menjivar may be contacted at (860) 524-7316 and is located in Room 212 of the State Capitol Building at 210 Capitol Avenue, Hartford.

### **Internal Complaint Process**

All complaints alleging discrimination or retaliation should be filed as soon as possible after the alleged act of discrimination or retaliation, and, absent extenuating circumstances, no later than thirty (30) days from the date of the alleged act.

Complaints should be made in writing to Attorney Walter Menjivar but may also be made verbally. Accommodations to the filing process will be made available for persons with disabilities upon request. The day the complaint is received will be treated as the filing date of the complaint.

Each complaint must contain the following:

- The full name and address of the complainant;
  - The full name and work address of the respondent;
  - A brief description of the alleged act(s) of discrimination and location(s)
  - The date(s) of the alleged act(s)
  - The complainant's protected class(es);
  - The complainant's signature and date.
- 1) The EEO shall notify the respondent (person(s) against whom the complaint is filed) that a complaint has been filed.
  - 2) The EEO shall notify the Governor of the allegations.
  - 3) The EEO shall work to facilitate conciliation between the complainant and the respondent where there is an indication that both parties may be willing to work together towards a resolution.
  - 4) If, after reasonable efforts, no conciliatory agreement is reached, the EEO and or staff shall continue with the investigatory process, keeping the Governor informed of its progress.
  - 5) The EEO and/or staff shall investigate all complaints and prepare a summary of the findings for administrative review. The investigative process shall not exceed ninety (90) days.

- 6) The EEO and/or staff will provide written notification of the final determination to the parties and to the Governor. The notification shall advise the complainant of his or her potential avenues of appeal.
- 7) If the complainant disagrees with a finding that the complaint is not substantiated, he or she may file a written appeal with the Office of the Governor within ten (10) business days of receipt of the written determination. Staff will contact the complainant to discuss the complaint and any possible resolutions.
- 8) If the investigation of the complaint indicates a policy violation occurred, the findings will be reviewed with the Governor (or designee), who will determine appropriate disciplinary action.

### **Legal Remedies**

This policy does not affect the right of any complainant to pursue a remedy through other administrative, and/or legal channels or with appropriate enforcement agencies. In addition to the foregoing procedure, any person who believes he or she has been the subject of any act of unlawful discrimination may file a complaint of discrimination with:

1. Connecticut Commission on Human Rights & Opportunities (CCHRO)  
Capital Region Office, 999 Asylum Avenue, 2nd Floor  
Hartford, CT 06105  
(860) 566-7710 or 1105.  
(860) 566-7710 (TDD also)  
(860) 566-1997 (FAX)

Complaints must be filed with the CCHRO no later than one hundred and eighty (180) days after the alleged act of discrimination occurred.

2. Equal Employment Opportunity Commission (EEOC)  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
(800) 669-4000 (Voice)  
(800) 669-6820 (TDD)

Complaints must be filed with the EEOC no later than three hundred (300) days after the alleged act of discrimination has occurred.

3. Department of Justice (DOJ)  
Office of the Americans with Disabilities Act  
Civil Rights Division  
P.O. Box 66118  
Washington, DC 20507  
(202) 514-0301 (Voice)  
(202) 514-0383 (TDD)

4. Any other state, federal or local agency, including the United States Department of Labor, Wage and Hour Division, that enforces laws concerning discrimination in employment.

#### **Protection from Retaliation**

The Governor's Office strictly forbids retaliation against employees who report discriminatory acts or who participate in internal or external investigations. The Office of the Governor shall not retaliate against, coerce, intimidate, threaten, harass, or interfere with any individual in the exercise or enjoyment of his or her rights under Federal or State law or because an individual aided or encouraged any other individual in the exercise of such rights. The Governor's Office will take any appropriate administrative actions necessary to prevent and/or correct any retaliatory measures. All employees are strongly urged to report all instances of retaliation to Attorney Menjivar at (860) 524-7316.

Ned Lamont  
Governor, State of Connecticut

*01/2019*